

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

WARREN CHASE, #326-514

Plaintiff

:

v.

: CIVIL ACTION NO. CCB-06-2685

WARDEN

:

Defendant

MEMORANDUM

On October 12, 2006, plaintiff Warren Chase, presently incarcerated at the Maryland Correctional Adjustment Center (“MCAC”), filed correspondence seeking injunctive relief and alleging that his personal property, including legal materials, had not yet reached him following several transfers among Maryland Division of Correction prisons. Because the allegation of lack of access to legal materials raised a claim of constitutional dimension,¹ the Office of the Maryland Attorney General was ordered to respond to the motion, which was docketed as a civil rights action filed pursuant to 42 U.S.C. § 1983. The response, construed as an unopposed motion for summary judgment,² has been received. Paper No. 6. No hearing is needed to resolve the access-to-courts issue raised in this case. *See Local Rule 105.6 (D. Md. 2004).*

Roughly one month after plaintiff’s correspondence was received by the court, plaintiff’s property was found and returned to him. (Paper No. 6, Exhibit 1). This turn of events renders the injunctive relief request moot. Accordingly, a separate Order shall be entered denying injunctive

¹ Prisoners maintain a fundamental constitutional right of meaningful access to the courts. *See Bounds v. Smith*, 430 U.S. 817, 821-22 (1977).

² Pursuant to the dictates of *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975), the Clerk on December 1, 2006, informed plaintiff that: the response had been construed as a dispositive motion; plaintiff had seventeen days in which to file written opposition to the motion; and if plaintiff failed to respond, summary judgment could be entered against him without further notice. Paper No. 7. Plaintiff requested and received additional time to file a response, but has failed to do so. Paper Nos. 8 and 9.

relief, granting summary judgment to defendant, and closing this case.

March 16, 2007
(Date)

/s/
Catherine C. Blake
United States District Judge